MEETING OF THE STATES PARTIES TO THE CONVENTION ON THE PROHIBITION OF THE USE, STOCKPILING, PRODUCTION AND TRANSFER OF ANTI-PERSONNEL MINES AND ON THEIR DESTRUCTION

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STANDING COMMITTEE ON VICTIM ASSISTANCE AND SOCIO-ECONOMIC REINTEGRATION

Final Report*
2001-2002

I. Introduction

The Standing Committee on Victim Assistance and Socio-Economic Reintegration, established in accordance with the decisions and recommendations of Meetings of the States Parties, met in Geneva on 28-29 January 2002 and 27-28 May 2002. These meetings were convened by the Standing Committee's Co-Chairs, Ms Gracibel Bu-Figueroa of Honduras and Ms C. Mélanie Régimbal of Canada, with the support of its Co-Rapporteurs, Mr Thomas Wagner of France and Ms Fulvia Benavides-Cotes of Colombia.

Representatives of more than 80 States Parties, 30 States not Parties, the United Nations, the International Campaign to Ban Landmines (ICBL), the International Committee of the Red Cross (ICRC) and numerous other international and non-governmental organizations participated in the work of the Standing Committee. The meetings were held in Geneva with the support of the Geneva International Center for Humanitarian Demining. Interpretation was provided thanks to the support of the European Commission.

The Co-Chairs expressed the wish at both meetings that the Standing Committee explore how best it could contribute to progress and live up to its mandate. In addition, the Co-Chairs expressed their desire that the Standing Committee identify practical means to assist States in meeting their obligations under article 6.3 of the Convention in view of achieving progress by 2004 and beyond.

II. Overview of Status of Implementation

Through presentations made by the Landmine Monitor Victim Assistance Coordinator, the Standing Committee received overviews of the status of implementation, trends and methodologies used to measure progress. It was reported that, in response to concerns pertaining to the lack of adequate information on measuring progress in implementation, the Landmine Monitor Victim Assistance Coordinator had developed a questionnaire to assist affected States to present better information on their victim assistance capacities and needs. It was noted that this questionnaire could be used to help guide mine-affected States Parties in completing the Article 7 reporting format's voluntary "Form J". With respect to the use of

Form J in 2002, an increase was noted vis-à-vis 2001, with 28 States Parties having used Form J in 2002 to report on victim assistance, including 11 mine affected States Parties.

In order to ensure that the work of the Standing Committee continues to better assist States in the implementation of Article 6.3, the Standing Committee launched a consultative process designed to: articulate a focused and concise set of critical issues in the field of victim assistance; identify concrete progress that can be made by 2004 and beyond; and, most pertinently, identify the Standing Committee's particular role in contributing to progress. The United Nations Mine Action Service (UNMAS) was asked to coordinate the consultative process, as it has no vested interest in any aspect of victim assistance and impartiality was considered key to the success of the consultative process.

While it was too early for process to have defined priorities, it was reported that preliminary trends indicated that States Parties and experts had identified the following four items as desired areas of focus for the Standing Committee: national planning by States Parties; prosthetics services; emergency medical care; and, economic reintegration. The Co-Chairs stressed the importance of the continued participation of States Parties in the consultative process to ensure that its findings continue to reflect their priorities.

Given recent efforts - such as those initiated by Handicap International - undertaken to assist States in Southeast Asia to meet the needs of landmine survivors, a special emphasis was placed on that region. The Standing Committee received an overview of the methodology used in Cambodia, Laos, Vietnam, and Thailand to build national planning capacity for victim assistance projects. It was stressed that national ownership of these plans is key to the development and effective implementation of projects pertaining victim assistance. Standing Committee participants expressed a desire to see similar regional exercises, which would take into consideration various unique regional characteristics and needs.

Finally with respect to the status of implementation, the Standing Committee was presented with the results of a global survey conducted by the World Health Organization, on the UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities. It was noted that rehabilitation services are provided in the majority of countries, but often do not extend their reach to mine affected areas or provide the range of services necessary to be most effective.

III. Update on implementation plans and progress:

A. Physical rehabilitation, including matters pertaining to prosthetics

The Standing Committee identified the need for further analysis of the quality of prosthetics services, particularly the need to better consider users' perspectives. It was argued that in mine affected countries a better understanding of the problems in this field and the steps needed to ameliorate them would be welcome. In addition, it was reiterated that good quality prostheses at no or minimal cost to users should be available for all needing them. And it was noted that prosthetic services should be developed with as much local input and control as possible, and that training of prosthetics technicians is critical to the sustainability of services.

From experiences in Southeast Asia, Africa and Latin America, progress and challenges in the development of prosthetics and orthotics programs were highlighted

by State Parties and local organizations of the above mentioned regions. Points of progress focused on the strengthening of the participation of persons with disabilities at the local level and the provision of holistic rehabilitation services to survivors in order to assist them in reintegration into their communities. The Standing Committee was also presented with a collaborative non-governmental paper further illustrating that access to appropriate prosthetics services is a precondition for many landmine survivors' rehabilitation. As such, it was suggested that the Standing Committee could contribute significantly to the improvement in prosthetics services in mine affected countries by using its collective influence to facilitate change.

B. Psycho-social rehabilitation

The necessity to incorporate psychological issues into the planning and implementation of services for landmine survivors and other survivors of trauma was demonstrated to the Standing Committee. It was noted that a singular focus on physical rehabilitation has proven to be a mistake and has in some ways impaired the development of the full range of services necessary to lead to the recovery of landmine survivors. In addition, it was emphasized that a psycho-social approach engenders concern with the realities of complex, individual human beings with their specific economic, cultural and political conditions, and that a need for such an approach to treating landmine survivors should never be compromised.

The Standing Committee was presented with the findings from a qualitative field study on survivors' recovery process. The study highlighted the following needs: to ensure the economic necessities; to provide comprehensive and coordinated care; to create opportunities to be a productive member of society; and, to assist in re-establishing social relationships with family, community and society.

Through an exploration of psycho-social rehabilitation efforts in Southeast Europe and Latin A...erica, the Standing Committee was reminded that the rehabilitation of child survivors cannot be complete without addressing the needs of both survivors and their families. An overview of efforts highlighted the value of interactions with peers, with an emphasis on emotional healing and where it is possible, on involvement with ecreation activities and the arts.

C. Human rights of persons with disabilities

The Standing Committee received an update on ongoing efforts being undertaken under the auspices of the United Nations regarding initiatives to create a convention on the rights of persons with disabilities. It was emphasized that understanding and linking mine victim assistance issues and broader disability issues to the international human rights framework is fundamental to advancing the rights of landmine survivors and all persons with disabilities. The Standing Committee received an overview of various national and international legal instruments and mechanisms currently in place for promoting disability and human rights issues, and their inadequacies with regards to persons with disabilities. The Standing Committee requested that it be kept informed of current and future efforts and expressed the view that the rights of landmine survivors should be promoted in the context of these ongoing actions.

D. Socio-Economic reintegration

Rehabilitation professionals, landmine survivor advocates and other experts reiterated to the Standing Committee that socio-economic reintegration is a priority issue. It was stressed that the right to income generation and gainful employment is a basic fundamental human right and is key to complete reintegration. These experts / survivors: highlighted the modification of employment rights for soldiers with disabilities; advocated for the inclusion of mine survivor issues in community development; spoke for equal opportunities and rights of women with disabilities; and, noted the importance of including mine survivors in the planning and development of mine action programs.

E. Medical care

Various challenges in providing effective medical care in zones of armed conflict were outlined to the Standing Committee. Based upon experiences in Central Asia, it was highlighted that the epidemic of landmine injuries is exacerbated during the return of refugees or displaced populations, that the epidemic of landmine injuries creates a challenge for entire health systems and that effective management of mine injuries depends on the adequate functioning and coordination of all aspects of the system, including transportation to services, training of surgeons, and related services such as physical rehabilitation. As a result of these experiences, it was argued that the coordination of humanitarian assistance to war victims can only be accomplished in situ, involving all humanitarian actors present and that a long-term commitment from donors, implementing agencies and national authorities is a necessity.

IV. Update on assistance and cooperation

The Landmine Monitor Victim Assistance Coordinator reported that according to Landmine Monitor findings only 10-15 percent of mine action funding is allocated to victim assistance programs and that funding for victim assistance appears to be declining. A variety of donors took advantage of the opportunity to update the Standing Committee on plans and priorities for programming in victim assistance, with some elaborating on how landmine victim assistance does not always appear in mine action-funding totals because it is integrated into other assistance programs. Nevertheless, the Standing Committee called on donors to provide further information on assistance and cooperation plans and policies in future meetings.

V. An assessment of priority areas in meeting the needs of landmine survivors

The Standing Committee was enlightened by the participation of two groups of survivors from Africa who were taking part in the "Raising the Voices" initiative. The Standing Committee expressed its appreciation for the eloquent and effective manner in which the survivor advocates outlined their priorities for victim assistance. A priority area which the survivors from Africa chose to bring to the Standing Committee's attention was accessibility, including access to medical and rehabilitation services, access to prosthesis services, physical access to buildings and transportation, and access to literacy training, which is often a prerequisite to other forms of education and skill training.

The Standing Committee voiced its appreciation both for the efforts of the Landmine Survivors Network for coordinating the Raising the Voices initiative and for the contribution

made by the initiative to the entire Intersessional Work Program. The Standing Committee offered its encouragement for the initiative's ongoing success.

VI. An assessment of needs that remain

The work of the Standing Committee in 2001-2002 succeeded both in furthering understanding of progress in implementing the provisions of the Convention related to victim assistance and in highlighting the extent of the challenges that remain. Through the work of Landmine Monitor, it was noted that there are approximately 43 States Parties that may require assistance in helping to meet the care, rehabilitation and reintegration needs of landmine survivors. It was emphasized that the challenge of meeting these needs is compounded by the fact that some of the countries with the greatest numbers of mine victims are also some of the world's poorest countries. And it was highlighted that the need to assist landmine survivors does not have a time limit - like 4 or 10 years - but rather exists for as long as there are landmine survivors.

Based upon the work of the Standing Committee during 2001-2002, it is the view of the Co-Chairs that the principal challenge that lies before the Standing Committee is the ability to continue providing the necessary guidance and appropriate tools to States Parties, in particular the 43 affected States to enhance and facilitate the implementation of Article 6.3 while simultaneously strengthening the voice of landmine survivors. The Co-Chairs believe that the voice of landmine survivors and their communities should be at the core of all of the Standing Committee's activities.

To address this great challenge, the Co-Chairs recommend that the Standing Committee in 2002-2003 take note of the findings of the Consultative Process, which was designed with a view to identifying the Standing Committee's particular niche in contributing to progress in the area of victim assistance and socio-economic reintegration. It is now well understood that there is a co-existence of the matter known as "landmine victim assistance" within fields such as emergency and ongoing medical care, physical and psychological rehabilitation, human rights, and social and economic reintegration. Therefore, processes, such as that facilitated by UNMAS, could help the Standing Committee better understand what its useful role could be and identify priority areas for action.

The Co-Chairs recommend that States Parties take full advantage of a variety of mechanisms and tools that have been developed such as the establishment of Victim Assistance Focal Points, the Article 7 reporting format's Form J and the ICBL's advice to both mine affected and donor States Parties on how to complete Form J.

During 2001-2002, the Standing Committee noted that regional exercises, like those facilitated by Handicap International in Southeast Asia, have proven useful in enhancing the effectiveness of national approaches to victim assistance. The Co-Chairs recommend that further initiatives be undertaken in other regions, partly in order that the Standing Committee gains a better understanding of progress and challenges in implementing the Convention.

Finally, to ensure that the Intersessional Work Program can be maximized as a vehicle for assistance and cooperation, the Co-Chairs encourage ongoing participation in the work of the Standing Committee by landmine survivors and key actors involved in fields that relate to meeting the needs of landmine victims (e.g., the International Labour Organization, the

World Health Organization, et cetera). It is the Co-Chairs' view that such participation enhances the Standing Committee's ability to address priority areas.

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* This report has been submitted by the Co-Chairs of the Standing Committee, Canada and Honduras. This report is the Co-Chairs' summary of the breadth of work undertaken by the Standing Committee during the 2001-2002 Intersessional period. It remains the responsibility of the Co-Chairs and is not a negotiated document.